

20 October 1952

MEMORANDUM FOR: Mr. Hedden

SUBJECT: Statement of Understanding and Agreement to be Used in Connection with Applications for Employment with the Agency.

Reference is made to (a) my proposal of some while ago that applicants for employment by the Agency be required to sign a statement which would estop them from making unreasonable claims and demands on the Agency at a later date and (b) your drafts pertaining to the general situation involved.

Attached is a suggested paper to be made the first step in all applications for employment. Its purpose is, first, to make applicants clearly understand the nature of employment with the Agency from the standpoint of clearance and, second, through the use of a signed statement of understanding and agreement, endeavor to avoid cases of protested refusals.

The basic thought behind this paper is that applicants should be informed at the time of applying where they stand regarding employment with the Agency, not after a case has developed into a situation requiring the intervention of the Office of the Inspector General. Probably neither this proposed procedure nor any other would be 100 percent effective but I feel that some practice such as that herewith suggested would have a desirable effect in a significant percentage of employment refusals.

Attached also are two suggested form letters to be issued to unsuccessful applicants upon request.



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Enclosures:

1. Paper "To all persons applying for employment with the Central Intelligence Agency"
2. Form letter (2a)
3. Form letter (2b)

To all persons applying for employment
with the Central Intelligence Agency:

This paper is the first step in applying for employment or consultant status with the Central Intelligence Agency. No application may proceed beyond this first step if the applicant is not in agreement with the conditions stated below.

General Considerations:

1. The National Security Act of 26 July 1947 (- citation -) which created the Central Intelligence Agency places upon the Agency the responsibility
 - (1) "To advise the National Security Council in matters concerning such intelligence activities of the government departments and agencies as relate to the national security;"
 - (2) "To make recommendations to the National Security Council for the coordination of such intelligence activities of the departments and agencies of the Government as relate to the national security;"
 - (3) "To correlate and evaluate intelligence relating to the national security, and provide for the appropriate dissemination of such intelligence within the Government...";
 - (4) "To perform, for the benefit of the existing intelligence agencies, such additional services of common concern as the National Security Council determines can be more efficiently accomplished centrally;" and
 - (5) "To perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct."

The special character of this national responsibility requires the Agency to maintain correspondingly special employment criteria different from the routine or normal employment standards of other Government departments and agencies which do not have the highly sensitive responsibility borne by

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the Central Intelligence Agency. It follows that the investigation of applicants prerequisite to their acceptance on a permanent basis is a time-consuming process. This is called "clearance" of an applicant.

2. Failure of an applicant to be cleared may come about in either of two ways:

a. Clearances normally require a minimum of six weeks. The circumstances surrounding some applications require such extensive investigation that the burden placed on the Agency's investigating department obliges the establishment of an outside time limit. If sufficient positive evidence to clear an applicant is not obtained within the time limit, the investigation is dropped and the applicant is deemed ineligible. Such a determination, turning down an applicant as "uncleared within time available", is no reflection on the competence, character, loyalty or security of the applicant. ~~and, upon request, he is provided with a written statement to that effect.~~ It merely means that, from a practical standpoint, the Agency simply cannot devote more time and spend more money in pursuing the clearance process or investigation.

b. Investigation of an applicant may reveal something which makes him unacceptable - perhaps something of which the applicant is genuinely unaware, perhaps something which only the special employment criteria of the Agency make unacceptable. In any event, adverse findings by the Agency's investigation department are final and conclusive so far as the Agency is concerned, and no statement of specific reasons is made to the applicant. ~~He is aware of this.~~

3. Failure to be cleared under either situations 2a. or 2b. above is entirely without prejudice to the applicant in his seeking employment by other Government departments or agencies or with private employers.

4.
Employment by the Central Intelligence Agency is not a right upon which an applicant can insist. Provisional employment pending clearance does not constitute a commitment on the Agency's part giving an unsuccessful applicant grounds for any claim against the Agency. Acceptance of such provisional employment is at the applicant's risk, taken with the knowledge that a very substantial proportion of applicants are not cleared.

Statement of Understanding
and Agreement

I have read, understand, and agree to the foregoing General Considerations. If not accepted for permanent employment, or as a consultant, by the Central Intelligence Agency, I will make no claim or demand in conflict with those considerations.

(signature of applicant)

Copy to applicant

Form Letter

(To be used in connection with refusals
under 2a of the General Considerations
section of the "first step" notice to
all applicants)

Dear Sir (Madam):

With regard to your application for employment with the Central Intelligence Agency, and with specific reference to paragraph ~~2~~ of the statement of [the] General Considerations made available to you at the time of your making application, the Agency has been unable to clear your application within the time available and, consequently, has been obliged to drop the investigation and consider you ineligible.

As you were advised, this determination is ~~no reflection on your competence, character, loyalty or security. It merely means that the Agency is unable to devote more time to the investigation. This is~~ without prejudice to your seeking employment with any other Government department or agency, or with any private employer.

Very truly yours,

Form Letter

(To be used in connection with refusals under 2b of the General Considerations section of the "first step" notice to all applicants)

Dear Sir (Madam):

With regard to your application for employment with the Central Intelligence Agency, and with specific reference to paragraph 2b of the Statement of the General Considerations made available to you at the time of your application, the Agency has been unable to effect your clearance and, consequently, is obliged to drop your application.

As you were advised, this determination is without prejudice to your seeking employment with any other Government department or agency, or with any private employer. It merely means that your application was not consonant with the specialized nature of the employment criteria of the Central Intelligence Agency required by the responsibilities imposed upon it.

Very truly yours,